

DECLARATION OF MARC WADE

1. My name is Marc Wade. I am over the age of 21 and am competent to make this declaration. The facts stated herein are within my personal knowledge and are true and correct.

2. I am in possession of the subpoenas issued by Microsoft Corporation against Wade and Company dated April 6, 2021 (the “Subpoenas”).

3. Approximately four or five years ago, Wade and Company explored the possibility of purchasing some patents from Nokia. Because I am not in the patent business, I ultimately decided not to participate in the purchase any patents from Nokia. Wade and Company is not in the patent business. Wade and Company does not own and has not invested in the “Patents-in-Suit” mentioned in Microsoft’s Subpoenas.

4. I do not have any recollection regarding the details of the potential purchase from Nokia. [REDACTED]

[REDACTED] No other person at Wade and Company had any knowledge regarding the details of the potential purchase from Nokia. No person currently with Wade and Company has any knowledge regarding the details of the potential purchase from Nokia.

5. Wade and Company signed a few documents while exploring the possible purchase from Nokia. I do not recall exactly how many documents Wade and Company signed or exactly when they were signed. I believe they were signed years ago. I conducted a reasonable search for the documents and did not locate them. I do not believe Wade and Company kept them. Because I decided not to purchase patents from Nokia, I was not concerned about keeping the documents.

6. Wade and Company is not in the patent business. Wade and Company does not have any interest, ownership, or rights in the “Patents-in-Suit” listed in the Subpoenas.

7. I understand that WSOU Investments, LLC (“WSOU”) ultimately purchased the patents from Nokia. I assume WSOU has documents relating to the purchase, including the few documents signed by Wade and Company, but I have no personal knowledge concerning what documents WSOU has. Nobody currently at Wade and Company has such knowledge.

8. The Subpoenas request information about agreements between Wade and Company and the inventors (the “Inventors”) of the Patents-in-Suit. Wade and Company is not in the patent business. To my knowledge, Wade and Company has done no business and had no communications with the Inventors.

9. The Subpoenas request information about the “preparation, drafting, filing, or prosecution of each of the Patents-in-Suit.” Wade and Company is not in the patent business. Wade and Company did not prepare, draft, file, or prosecute any of the Patents-in-Suit. I do not know who did.

10. The Subpoenas request information about Wade and Company’s relationship with “any entity” [REDACTED]

[REDACTED] If any of those persons or entities are mentioned in the few documents Wade and Company signed when exploring the potential purchase from Nokia, those documents represent the full extent of any dealings Wade and Company has had with them.

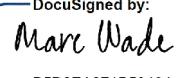
11. [REDACTED]

12. The Subpoenas request information about Wade and Company’s communications with WSOU about “This Litigation,” Microsoft, or the Patents-in-Suit. Wade and Company has not had communication with WSOU regarding “This Litigation” or Microsoft. It’s possible that Wade and Company and WSOU may be mentioned in the few documents Wade and Company signed when exploring the potential purchase from Nokia. I do not know what documents WSOU has, but I assume WSOU is the entity to ask about those documents.

13. The Subpoenas ask for information about “Other WSOU Defendants,” which the Subpoenas define as “any and all companies that WSOU has sued in patent litigation matters,”

including companies such as [REDACTED] Wade and Company is not in the patent business and is not involved in any lawsuits against the “Other WSOU Defendants.” To my knowledge, Wade and Company does not have information relating to “Other WSOU Defendants” that is related to the lawsuits or the Patents-in-Suit (other than perhaps a user manual or agreement for a [REDACTED] product etc.).

14. Wade and Company is not in the patent business. Without making assumptions about legal matters beyond my expertise, I do not know what the Subpoenas mean by the “subject matter described in each of the Patents-in-Suit” or by “conception, reduction to practice, and diligence in the reduction to practice of any alleged invention of the Patents-in-Suit.”

DocuSigned by:

Marc Wade
/s/
Marc Wade

8/24/2021